



10-12-a

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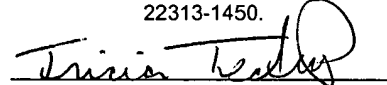
3738

PATENT
Customer No. 22,852
Attorney Docket No. 08442.0002.02000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Joseph C. CAUTHEN et al.) Group Art Unit: 3738
)
Application No.: 10/075,615) Examiner: U. Chattopadhyay
)
Filed: February 15, 2002)
) Confirmation No.: 2841
)
For: SPINAL DISC ANNULUS)
RECONSTRUCTION METHOD)
AND SPINAL DISC ANNULUS)
STENT)

I hereby certify that this correspondence is being deposited with the United States Postal Services "Express Mail Label EV 755141038 US Post Office to Addressee" service under 37 CFR § 1.10 on October 10, 2006 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Tricia Tedesco

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), applicant brings to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement is accompanied by a fee of \$180.00 as specified by Section 1.17(p).

10/16/2006 EFLORES 00000098 10075615

01 FC:1806 180.00 DA

Copies of the listed foreign and non-patent literature documents are attached.

Copies of the U.S. patent publications are not enclosed.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and applicant determines that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

10/16/2006 EFLORES 00000098 060916 10075615
01 FC:1806 180.00-DA

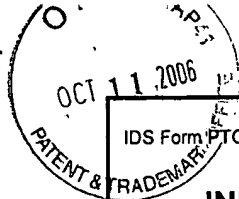
Dated: October 11, 2006

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

By: 

Eric P. Raciti
Reg. No. 41475



IDS Form PTO/SB/08: Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/075,615
				Filing Date	February 15, 2002
				First Named Inventor	Joseph C. CAUTHEN
				Art Unit	3738
				Confirmation No.	2841
Examiner Name	D. Isabella				
Attorney Docket Number	08442.0200-00000				
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U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
Examiner Initials	Cite No. ¹	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US 1,995,970	03-26-1935	Dorough	
		US 2,609,347	09-02-1952	Wilson	
		US 2,653,917	09-29-1953	Hammon	
		US 2,659,935	11-24-1953	Hammon	
		US 2,664,366	12-29-1953	Wilson	
		US 2,664,367	12-29-1953	Wilson	
		US 2,676,945	04-27-1954	Higgins	
		US 2,683,136	07-06-1954	Higgins	
		US 2,703,316	03-01-1955	Schneider	
		US 2,758,987	08-14-1956	Salzberg	
		US 2,846,407	08-05-1958	Wilson	
		US 2,951,828	09-06-1960	Zeile	
		US 3,531,561	09-29-1970	Trehu	
		US 3,580,256	05-25-1971	Wilkinson	
		US 3,874,388	04-01-1975	King et al.	
		US 3,875,595	04-08-1975	Froning	
		US 3,895,753	07-22-1975	Bone	
		US 3,990,619	11-09-1976	Russell	
		US 4,006,747	02-08-1977	Kronenthal et al.	
		US 4,007,743	02-15-1977	Blake	
		US 4,224,413	09-23-1980	Burbidge	
		US 4,349,921	09-21-1982	Kuntz	
		US 4,369,788	01-25-1983	Goald	
		US 4,413,359	11-08-1983	Akiyama et al.	
		US 4,502,161	03-05-1985	Wall	
		US 4,512,338	04-23-1985	Balko et al.	
		US 4,532,926	08-06-1985	O'Holla	
		US 4,602,635	07-29-1986	Mulhollan et al.	
		US 4,663,358	05-05-1987	Hyon et al.	
		US 4,669,473	06-02-1987	Richards et al.	
		US 4,678,459	07-07-1987	Onik et al.	
		US 4,736,746	04-12-1988	Anderson	
		US 4,743,260	05-10-1988	Burton	

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U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS

	US 4,744,364	05-17-1988	Kensey	
	US 4,781,190	11-01-1988	Lee	
	US 4,798,205	01-17-1989	Bonomo et al.	
	US 4,837,285	06-06-1989	Berg et al.	
	US 4,844,088	07-04-1989	Kambin	
	US 4,863,477	09-05-1989	Monson	
	US 4,884,572	12-05-1989	Bays et al.	
	US 4,895,148	01-23-1990	Bays et al.	
	US 4,904,261	02-27-1990	Dove et al.	
	US 4,911,718	03-27-1990	Lee et al.	
	US 4,917,704	04-17-1990	Frey et al.	
	US 4,919,667	04-24-1990	Richmond	
	US 4,946,378	08-07-1990	Hirayama et al.	
	US 4,955,908	09-11-1990	Frey et al.	
	US 4,976,715	12-11-1990	Bays et al.	
	US 5,002,576	03-26-1991	Fuhrmann et al.	
	US 5,035,716	07-30-1991	Downey	
	US 5,041,129	08-20-1991	Hayhurst et al.	
	US 5,047,055	09-10-1991	Bao, Higham	
	US 5,053,046	10-01-1991	Janese	
	US 5,059,193	10-22-1991	Kuslich	
	US 5,059,206	10-22-1991	Winters	
	US 5,062,344	11-05-1991	Gerker	
	US 5,071,437	12-10-1991	Steffee	
	US 5,085,661	02-04-1992	Moss	
	US 5,100,422	03-31-1992	Berguer et al.	
	US 5,108,420	04-28-1992	Marks	
	US 5,116,357	05-26-1992	Eberbach	
	US 5,129,912	06-14-1992	Noda et al.	
	US 5,122,154	06-16-1992	Rhodes	
	US 5,122,155	06-16-1992	Eberbach	
	US 5,123,926	06-23-1992	Pisharodi	
	US 5,123,913	06-23-1992	Wilk et al.	
	US 5,141,515	08-25-1992	Eberbach	
	US 5,171,259	12-15-1992	Inoue	

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U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS

	US 5,171,280	12-15-1992	Baumgartner	
	US 5,171,281	12-15-1992	Parsons et al.	
	US 5,176,692	01-05-1993	Wilk et al.	
	US 5,176,691	01-05-1993	Pierce	
	US 5,192,326	03-09-1993	Bao et al.	
	US 5,204,106	04-20-1993	Schepers et al.	
	US 5,222,962	06-29-1993	Burkhart	
	US 5,222,974	06-29-1993	Kensey et al.	
	US 5,242,439	09-07-1993	Larsen et al.	
	US 5,254,133	10-19-1993	Seid	
	US 5,269,791	12-14-1993	Mayzels et al.	
	US 5,282,827	02-01-1994	Kensey et al.	
	US 5,282,863	02-01-1994	Burton	
	US 5,304,194	04-19-1994	Chee et al.	
	US 5,306,311	04-26-1994	Stone et al.	
	US 5,312,435	05-17-1994	Nash et al.	
	US 5,320,644	06-14-1994	Baumgartner	
	US 5,320,629	06-14-1994	Noda et al.	
	US 5,342,394	08-30-1994	Matsuno et al.	
	US 5,344,442	09-06-1994	Radu Deac	
	US 5,354,736	10-11-1994	Bhatnagar	
	US 5,370,660	12-06-1994	Weinstein et al.	
	US 5,370,697	12-06-1994	Baumgartner	
	US 5,374,268	12-20-1994	Sander	
	US 5,376,120	12-27-1994	Sarver et al.	
	US 5,383,477	01-24-1995	DeMatteis	
	US 5,383,905	01-24-1995	Golds et al.	
	US 5,391,182	02-21-1995	Chin	
	US 5,397,332	03-14-1995	Kammerer et al.	
	US 5,397,326	03-14-1995	Mangum	
	US 5,398,861	03-21-1995	Green	
	US 5,405,360	04-11-1995	Tovey	
	US 5,405,352	04-11-1995	Weston	
	US 5,417,699	05-23-1995	Klein et al.	
	US 5,425,772	06-20-1995	Brantigan	

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U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
		US 5,425,773	06-20-1995	Boyd et al.	
		US 5,429,598	07-04-1995	Waxman et al.	
		US 5,437,631	08-01-1995	Janzen	
		US 5,437,680	08-01-1995	Yoon	
		US 5,456,720	10-10-1995	Schultz et al.	
		US 5,464,407	11-07-1995	McGuire	
		US 5,470,337	11-28-1995	Moss	
		US 5,489,307	02-06-1996	Kuslich et al.	
		US 5,492,697	02-20-1996	Boyan et al.	
		US 5,496,348	03-05-1996	Bonutti	
		US 5,507,755	04-16-1996	Gresl et al.	
		US 5,514,180	05-07-1996	Heggeness et al.	
		US 5,520,700	05-28-1996	Beyar et al.	
		US 5,531,678	07-02-1996	Tomba et al.	
		US 5,534,030	07-09-1996	Navarro et al.	
		US 5,540,715	07-30-1996	Katsaros et al.	
		US 5,540,704	07-30-1996	Gordon et al.	
		US 5,545,229	08-13-1996	Parsons et al.	
		US 5,556,428	09-17-1996	Shah	
		US 5,562,738	10-08-1996	Boyd et al.	
		US 5,562,684	10-08-1996	Kammerer	
		US 5,569,252	10-29-1996	Justin et al.	
		US 5,573,286	11-12-1996	Rogozinski	
		US 5,582,616	12-10-1996	Bolduc et al.	
		US 5,584,862	12-12-1996	Bonutti	
		US 5,591,223	01-07-1997	Lock et al.	
		US 5,591,177	01-07-1997	Lehrer	
		US 5,593,425	01-14-1997	Bonutti et al.	
		US 5,613,974	03-25-1997	Andreas et al.	
		US 6,036,699	03-26-1997	Andreas et al.	
		US 5,620,012	04-15-1997	Benderev et al.	
		US 5,624,463	04-29-1997	Stone et al.	
		US 5,626,613	05-06-1997	Schmieding	
		US 5,626,614	05-06-1997	Hart	
		US 5,626,612	05-06-1997	Bartlett et al.	

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U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS

	US 5,634,931	06-03-1997	Kugel	
	US 5,643,319	06-03-1997	Green et al.	
	US 5,645,084	07-08-1997	McKay	
	US 5,658,343	08-19-1997	Hauselmann et al.	
	US 5,662,683	09-02-1997	Kay	
	US 5,669,935	09-23-1997	Rosenman et al.	
	US 5,674,294	10-07-1997	Bainville et al.	
	US 5,674,296	10-07-1997	Bryan et al.	
	US 5,676,698	10-14-1997	Janzen et al.	
	US 5,676,701	10-14-1997	Yuan et al.	
	US 5,681,351	10-28-1997	Jamiolkowski et al.	
	US 5,683,465	11-04-1997	Shinn et al.	
	US 5,683,417	11-04-1997	Cooper	
	US 5,695,525	12-09-1997	Mulhauser et al.	
	US 5,697,950	12-16-1997	Fucci et al.	
	US 5,702,450	12-30-1997	Bisserie	
	US 5,702,451	12-30-1997	Biedermann et al.	
	US 5,702,462	12-30-1997	Oberlander	
	US 5,704,943	01-06-1998	Yoon et al.	
	US 5,716,404	02-10-1998	Vacanti et al.	
	US 5,716,408	02-10-1998	Eldridge et al.	
	US 5,716,409	02-10-1998	Debbas	
	US 5,716,413	02-10-1998	Walter et al.	
	US 5,725,552	03-10-1998	Kotula et al.	
	US 5,725,577	03-10-1998	Saxon	
	US 5,728,150	03-17-1998	McDonald et al.	
	US 5,728,109	03-17-1998	Schulze et al.	
	US 5,730,744	03-24-1998	Justin et al.	
	US 5,735,875	04-07-1998	Bonutti	
	US 5,736,746	04-07-1998	Furutoh	
	US 5,743,917	04-28-1998	Saxon	
	US 5,746,755	05-05-1998	Wood et al.	
	US 5,752,964	05-19-1998	Mericle	
	US 5,759,189	06-02-1998	Ferragamo et al.	
	US 5,782,860	06-21-1998	Epstein et al.	

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U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
		US 5,769,864	06-23-1998	Kugel	
		US 5,769,893	06-23-1998	Shah	
		US 5,772,661	06-30-1998	Michelson	
		US 5,776,183	07-07-1998	Kanesaka et al.	
		US 5,786,217	07-28-1998	Tubo et al.	
		US 5,792,152	08-11-1998	Klein et al.	
		US 5,797,929	08-25-1998	Andreas et al.	
		US 5,800,550	09-01-1998	Sertich	
		US 5,810,848	09-22-1998	Hayhurst	
		US 5,810,851	09-22-1998	Yoon	
		US 5,823,994	10-20-1998	Sharkey et al.	
		US 5,824,008	10-20-1998	Bolduc et al.	
		US 5,824,082	10-20-1998	Brown	
		US 5,824,094	10-20-1998	Serhan et al.	
		US 5,827,328	10-27-1998	Butterman	
		US 5,836,315	11-17-1998	Benderev et al.	
		US 5,842,477	12-01-1998	Naughton et al.	
		US 5,843,084	12-01-1998	Hart et al.	
		US 5,846,261	12-08-1998	Kotula et al.	
		US 5,849,331	12-15-1998	Ducheyne et al.	
		US 5,853,422	12-29-1998	Huebsch et al.	
		US 5,855,614	01-05-1999	Stevens et al.	
		US 5,860,425	01-19-1999	Benderev et al.	
		US 5,860,977	01-19-1999	Zucherman et al.	
		US 5,865,845	02-02-1999	Thalgott	
		US 5,865,846	02-02-1999	Bryan et al.	
		US 5,868,762	02-09-1999	Cragg et al.	
		US 5,888,226	03-30-1999	Rogozinski	
		US 5,893,889	04-13-1999	Harrington	
		US 5,893,592	04-13-1999	Schulze et al.	
		US 5,895,426	04-20-1999	Scarborough et al.	
		US 4,834,757	05-30-1999	Brantigan	
		US 5,919,235	07-06-1999	Husson et al.	
		US 5,922,026	07-13-1999	Chin	
		US 5,941,439	08-24-1999	Kammerer et al.	

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U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS

	US 5,944,738	08-31-1999	Amplatz et al.	
	US 5,948,001	09-07-1999	Larsen	
	US 5,948,002	09-07-1999	Bonutti	
	US 5,954,716	09-21-1999	Sharkey et al.	
	US 5,957,939	09-28-1999	Heaven et al.	
	US 5,964,783	10-12-1999	Grafton et al.	
	US 5,964,807	10-12-1999	Gan et al.	
	US 5,972,000	10-26-1999	Beyar et al.	
	US 5,972,007	10-26-1999	Sheffield et al.	
	US 5,984,948	11-16-1999	Hasson	
	US 6,001,130	12-14-1999	Bryan et al.	
	US 6,007,575	12-28-1999	Samuels	
	US 6,007,567	12-28-1999	Bonutti	
	US 6,019,793	02-01-2000	Perren et al.	
	US 6,024,754	02-15-2000	Engelson	
	US 6,024,758	02-15-2000	Thal	
	US 6,024,096	02-15-2000	Buckberg	
	US 6,027,527	02-22-2000	Asano et al.	
	US 6,039,761	03-21-2000	Li et al.	
	US 6,039,762	03-21-2000	McKay	
	US 6,045,561	04-04-2000	Marshall et al.	
	US 6,063,378	05-16-2000	Nohara et al.	
	US 6,066,146	05-23-2000	Carroll et al.	
	US 6,716,216	06-20-2000	Boucher et al.	
	US 6,080,182	06-27-2000	Shaw et al.	
	US 6,093,205	07-25-2000	McLeod et al.	
	US 6,106,545	08-22-2000	Egan	
	US 6,113,609	09-05-2000	Adams	
	US 6,113,623	09-05-2000	Sgro	
	US 6,113,639	09-05-2000	Ray et al.	
	US 6,123,715	09-26-2000	Amplatz	
	US 6,143,006	11-07-2000	Chan et al.	
	US 6,146,380	11-14-2000	Racz et al.	
	US 6,146,422	11-14-2000	Lawson	
	US 6,162,203	12-19-2000	Haago	

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U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS

	US 6,171,317	01-09-2001	Jackson et al.	
	US 6,171,329	01-09-2001	Shaw et al.	
	US 6,176,863	01-23-2001	Kugel et al.	
	US 6,179,879	01-30-2001	Robinson et al.	
	US 6,183,518	02-06-2001	Ross et al.	
	US 6,190,401	02-20-2001	Green et al.	
	US 6,200,329	03-13-2001	Fung et al.	
	US 6,203,554	03-20-2001	Roberts	
	US 6,203,565	03-20-2001	Bonutti	
	US 6,206,895	03-27-2001	Levinson	
	US 6,221,092	04-24-2001	Koike et al.	
	US 6,221,109	04-24-2001	Geistlich et al.	
	US 6,231,615	05-15-2001	Preissman	
	US 6,245,080	06-12-2001	Levinson	
	US 6,267,772	07-31-2001	Mulhauser et al.	
	US 6,248,131	09-19-2001	Felt et al.	
	US 6,293,961	09-25-2001	Schwartz et al.	
	US 6,296,659	10-02-2001	Foerster	
	US 6,306,159	10-23-2001	Schwartz et al.	
	US 6,306,177	10-23-2001	Felt et al.	
	US 6,312,448	11-06-2001	Bonutti	
	US 6,319,263	11-20-2001	Levinson	
	US 6,342,064	01-29-2002	Koike et al.	
	US 6,344,057	02-05-2002	Rabbe et al.	
	US 6,355,052	03-02-2002	Neuss	
	US 6,364,897	04-02-2002	Bonutti	
	US 6,371,984	04-16-2002	Van Dyke et al.	
	US 6,391,060	05-21-2002	Ory et al.	
	US 6,402,750	06-11-2002	Atkinson et al.	
	US 6,402,784	06-11-2002	Wardlaw	
	US 6,402,785	06-11-2002	Zdeblick	
	US 6,409,739	06-25-2002	Nobles et al.	
	US 6,425,924	06-30-2002	Rousseau	
	US 6,419,676	07-16-2002	Zucherman et al.	
	US 6,419,702	07-16-2002	Ferree	

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U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS

	US 6,419,703	07-16-2002	Fallin et al.	
	US 6,419,704	07-16-2002	Ferree	
	US 6,419,706	07-16-2002	Graf	
	US 6,423,065	07-23-2002	Ferree	
	US 6,424,924	07-30-2002	Rousseau	
	US 6,428,562	08-06-2002	Bonutti	
	US 6,432,123	08-13-2002	Schwartz et al.	
	US 6,432,107	08-13-2002	Ferree	
	US 6,436,098	08-20-2002	Michelson	
	US 6,436,143	08-20-2002	Ross et al.	
	US 6,447,535	09-10-2002	Jacobs, et al.	
	US 6,454,804	09-24-2002	Ferree	
	US 6,482,235	11-19-2002	Lambrech et al.	
	US 6,488,691	12-03-2002	Carroll et al.	
	US 6,491,724	12-10-2002	Ferree	
	US 6,494,883	12-17-2002	Ferree	
	US 6,500,184	12-31-2002	Chan et al.	
	US 6,500,132	12-31-2002	Li	
	US 6,508,839	01-21-2003	Lambrech et al.	
	US 6,511,488	01-28-2003	Marshall et al.	
	US 6,511,498	01-28-2003	Fumex	
	US 6,511,958	01-28-2003	Atkinson et al.	
	US 6,514,255	02-04-2003	Ferree	
	US 6,514,514	02-04-2003	Atkinson et al.	
	US 6,533,799	03-18-2003	Bouchier	
	US 6,533,817	03-18-2003	Norton et al.	
	US 6,547,806	04-15-2003	Ding	
	US 6,558,386	05-06-2003	Cragg	
	US 6,558,390	05-06-2003	Cragg	
	US 6,562,052	05-13-2003	Nobles et al.	
	US 6,569,187	05-27-2003	Bonutti et al.	
	US 6,569,442	05-27-2003	Gan et al.	
	US 6,572,635	06-03-2003	Bonutti	
	US 6,572,653	06-03-2003	Simonson	
	US 6,575,979	06-10-2003	Cragg	

<p>IDS Form PTO/SB/08: Substitute for form 1449A/PTO</p> <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p>(Use as many sheets as necessary)</p>				Complete if Known	
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U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
		US 6,576,017	06-10-2003	Foley et al.	
		US 6,579,291	06-17-2003	Keith et al.	
		US 6,592,608	07-15-2003	Fisher et al.	
		US 6,592,625	07-15-2003	Cauthen	
		US 6,592,609	07-15-2003	Bonutti	
		US 6,596,012	07-22-2003	Akerfeldt et al.	
		US 6,602,291	08-05-2003	Ray et al.	
		US 6,605,096	08-12-2003	Ritchart	
		US 6,607,541	08-19-2003	Gardiner et al.	
		US 6,610,006	08-26-2003	Amid et al.	
		US 6,610,071	08-26-2003	Cohn et al.	
		US 6,610,079	08-26-2003	Li et al.	
		US 6,610,666	08-26-2003	Akerblom	
		US 6,610,091	08-26-2003	Reiley	
		US 6,613,044	09-2-2003	Carl	
		US 6,620,185	09-16-2003	Harvie et al.	
		US 6,620,196	09-16-2003	Trieu	
		US 6,623,492	09-23-2003	Berube et al.	
		US 6,623,508	09-23-2003	Shaw et al.	
		US 6,626,899	09-30-2003	Houser et al.	
		US 6,626,916	09-30-2003	Yeung et al.	
		US 6,635,073	10-21-2003	Bonutti et al.	
		US 6,645,247	11-11-2003	Ferree	
		US 6,648,918	11-18-2003	Ferree	
		US 6,648,919	11-18-2003	Ferree	
		US 6,648,920	11-18-2003	Ferree	
		US 6,652,585	11-25-2003	Lange	
		US 6,656,182	12-02-2003	Hayhurst	
		US 6,669,687.	12-30-2003	Saadat	
		US 6,669,707	12-30-2003	Swanstrom et al.	
		US 6,669,729	12-30-2003	Chin	
		US 6,673,088	01-06-2004	Vargas et al.	
		US 6,676,665	01-13-2004	Foley et al.	
		US 6,679,914	01-20-2004	Gabbay	
		US 6,684,886	02-03-2004	Alleyne	

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U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS

	US 6,685,695	02-03-2004	Ferree	
	US 6,689,125	02-10-2004	Keith et al.	
	US 6,692,506	02-17-2004	Ory et al.	
	US 6,695,858	02-24-2004	Dubrul et al.	
	US 6,699,263	03-02-2004	Cope	
	US 6,706,068	03-16-2004	Ferree	
	US 6,712,836	03-30-2004	Berg et al.	
	US 6,712,853	03-30-2004	Kuslich	
	US 6,712,837	03-30-2004	Akerfeldt et al.	
	US 6,719,761	04-13-2004	Reiley et al.	
	US 6,719,773	04-13-2004	Boucher et al.	
	US 6,719,797	04-13-2004	Ferree	
	US 6,723,097	04-20-2004	Fraser et al.	
	US 6,723,107	04-20-2004	Skiba et al.	
	US 6,723,133	04-20-2004	Pajotin	
	US 6,723,335	04-20-2004	Moehlenbruck et al.	
	US 6,723,058	04-20-2004	Li	
	US 6,723,095	04-20-2004	Hammerslag	
	US 6,726,721	04-27-2004	Stoy et al.	
	US 6,730,112	05-04-2004	Levinson	
	US 6,733,531	05-11-2004	Trieu	
	US 6,733,534	05-11-2004	Sherman	
	US 6,736,815	05-18-2004	Ginn	
	US 6,740,093	05-25-2004	Hochschuler et al.	
	US 6,743,255	06-01-2004	Ferree	
	US 6,752,831	06-22-2004	Sybert et al.	
	US 6,758,863	07-06-2004	Estes	
	US 6,761,720	07-13-2004	Senegas	
	US 6,764,514	07-20-2004	Li et al.	
	US 6,767,037	07-27-2004	Wenstrom	
	US 6,773,699	08-10-2004	Soltz et al.	
	US 6,783,546	08-31-2004	Zuckerman et al.	
	US 6,805,697	10-14-2004	Helm et al.	
	US 6,805,715	10-19-2004	Reuter et al.	
	US 6,812,211	11-02-2004	Slivka et al.	

IDS Form PTO/SB/08: Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
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U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
		US 6,821,276	11-23-2004	Lambrech et al.	
		US 6,824,562	11-30-2004	Mathis et al.	
		US 6,827,716	12-07-2004	Ryan et al.	
		US 6,827,743	12-07-2004	Eisermann et al.	
		US 6,830,570	12-14-2004	Frey et al.	
		US 6,833,006	12-21-2004	Foley et al.	
		US 6,835,205	12-28-2004	Atkinson et al.	
		US 6,835,207	12-28-2004	Zacouto et al.	
		US 6,835,208	12-28-2004	Marchosky	
		US 6,841,150	01-11-2005	Yuan-Di et al.	
		US 6,852,128	02-08-2005	Lange	
		US 6,860,895	03-01-2005	Akerfeldt et al.	
		US 6,878,155	04-12-2005	Sharkey et al.	
		US 6,878,167	04-12-2005	Ferree	
		US 6,883,520	04-26-2005	Lambrech et al.	
		US 6,893,462	05-17-2005	Buskirk et al.	
		US 6,896,675	05-24-2005	Leung et al.	
		US 6,913,622	07-05-2005	Gjunter	
		US 6,923,823	08-02-2005	Bartlett et al.	
		US 6,932,833	08-23-2005	Sandoval et al.	
		US 6,936,072	08-30-2005	Lambrech et al.	
		US 6,936,070	08-30-2005	Muhanna	
		US 6,960,215	11-01-2005	Olson, Jr. et al.	
		US 6,964,674	11-15-2005	Matsuura et al.	
		US 6,966,910	11-22-2005	Ritland	
		US 6,966,931	11-22-2005	Huang	
		US 6,969,404	11-29-2005	Ferree	
		US 6,972,027	12-06-2005	Fallin et al.	
		US 6,974,479	12-13-2005	Trieu	
		US 6,980,862	12-27-2005	Fredricks et al.	
		US 7,033,393	04-25-2006	Gainor et al.	
		US 7,037,334	05-02-2006	Hlavka et al.	
		US 7,004,970	02-28-2006	Cauthen	
		US 5,827,325	10-22-1998	Landgrebe et al.	
		US 5,904,703	05-18-1999	Gilson et al.	

IDS Form PTO/SB/08: Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
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U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
		US 6,332,894	12-25-2001	Stalcup	
		US 6,174,322	01-16-2001	Bernhard Schneidt	
		US 6,464,712	10-15-2002	Epstein	
		US 6,805,695	10-19-2004	Keith	
		US 5,207,695	05-04-1993	Trout	
		US 6,696,073	02-24-2004	Boyce	
		US 5,888,222	03-30-1999	Coates	
		US 5,397,991	03-14-1995	Rogers	
		US 2002/0077701	03-30-2004	Kuslich	
		US 2002/0147461	10-10-2002	Aldrich	
		US 2002/0082698	06-27-2002	Parenteau et al.	
		US 2003/0074075	04-17-2003	Thomas	
		US 2003/0195514	10-16-2003	Hai Trieu	
		US 2004/0054414	03-18-2004	Hai Trieu	
		US 2004/0097980	05-20-2004	Ferree	
		US 2004/0039392	02-26-2004	Hai Trieu	
		US 2004/0260397	12-23-2004	Lambrecht et al.	
		US 2005/0033440	02-10-2005	Lambrecht et al.	
		US 2005/0038519	02-17-2005	Lambrecht et al.	
		US 2005/0060038	03-17-2005	Lambrecht et al.	
		US 2006/0129156	06-15-2006	Cauthen	
		US 2006/0167553	07-27-2006	Cauthen	
		US 2006/0173545	08-03-2006	Cauthen	
		US 2006/0060038	07-20-2006	Cauthen	

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FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		DE 4323595C	07-07-1994	Germany		
		WO 94/23671	10-27-1994	Bao et al.		
		WO 98/20939	09-03-1998	Felt et al.		
		WO 99/04720	02-04-1999	Reprogenesis Inc.		
		EP 0 020 021 A2	12-10-1980	Printing Developments, Inc.		
		EP 0 025 706 A1	03-25-1981	Butterworth Systems, Inc.		

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FOREIGN PATENT DOCUMENTS						
		EP 0 042 953 A2	01-06-1982	International Business Machines Corporation		
		EP 0 049 978 A1	04-21-1982	Frank John Rowell		
		EP 0 061 037 A1	09-29-1982	Basf Aktiengesellschaft		
		EP 0 062 832 A1	10-20-1982	Basf Aktiengesellschaft		
		EP 0 076 409 A1	04-13-1983	Indesit Industria Elettrodomestici Italiana S.p.A.		
		EP 0 110 316 A2	06-13-1984	Hoechst Aktiengesellschaft		
		EP 0 112 107 A2	06-27-1984	Fujitsu Limited		
		EP 0 121 246 A2	10-10-1984	Computer Gesellschaft Konstanz mbH		
		EP 0 122 902 A2	10-24-1984	Tekma Oy		
		EP 0 126 570 A2	11-28-1984	Warner-Lambert Company		
		EP 0 145 577 A2	06-19-1985	Hugues Lesourd		
		EP 0 193 784 A2	09-10-1986	Siemens Aktiengesellschaft		
		EP 0 195 818 A1	10-01-1986	Honeywell Inc.		

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		Translation ⁶
		Cauthen, Joseph, Draft Abstract entitled "Microsurgical Annular Reconstruction (Annuloplasty) Following Lumbar Microdiscectomy: Preliminary Report of a New Technique" from abstracts@neurosurgery.org . September 4, 1998.		
		Mineiro, J., et al., "Dynamic Neutralization With Dynesys Review of 113 Cases with More than 1 Year Follow-Up," <i>Spine</i> 2004, Porto, Portugal May 30 th to June 5 th , 2004, Abstract B19, p. 181.		

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